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Letter dated 26 November 1993 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement by the Government of the Russian Federation dated 25 November 1993 concerning the resolution adopted by the Verkhovna Rada of Ukraine on 18 November 1993 relating to the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START-I) (see document A/48/620-S/26770, annex).

I should be grateful if you would have the text of this statement distributed as an official document of the General Assembly, under item 71, and of the Security Council.

(Signed) Y. VORONTSOV

ANNEX

Statement by the Government of the Russian Federation
dated 25 November 1993

From Ukraine has come disturbing news. It concerns the gross violation by that country of its international obligations regarding nuclear weapons. On 18 November 1993, the Verkhovna Rada of Ukraine adopted a resolution relating to the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START-I) and the Lisbon Protocol, constituting an integral part thereof, both of which were signed by Ukraine.

The world has long awaited the ratification by Kiev of those instruments. All the remaining parties to them - Russia, the United States, Kazakhstan and Belarus - already ratified them long ago. Action remained outstanding only for the Ukrainian side. Without its approval, it has been impossible to begin the process of making drastic reductions in nuclear weapons.

In the course of many long months, pledges emanated from Kiev to the effect that Ukraine would comply with the obligations which it had assumed vis-à-vis the world community. Very recently, during a meeting of the official delegations of Russia and Ukraine in Massandr, headed by the Presidents of the two countries, Ukraine reaffirmed those pledges in the form of agreements which it signed there.

In fact, however, there now has occurred an outrageous violation of important international instruments, fundamental provisions of which have been rendered virtually null and void by the Ukrainian legislators.

Suffice it merely to point out that it has been officially proclaimed that the nuclear weapons are the State property of Ukraine; that Ukraine has also departed from article V of the Lisbon Protocol, under which it committed itself to accede to the Treaty on the Non-Proliferation of Nuclear Weapons as a non-nuclear State, which was a basic condition for its becoming a party to the START-I Treaty; and that instead of complying with its obligation to destroy all the nuclear weapons situated in its territory, Ukraine is proposing to eliminate a mere 36 per cent of the missile launchers and 42 per cent of the nuclear warheads, while the entire remaining nuclear arsenal would belong to Ukraine.

In short, Ukraine is repudiating all the obligations with regard to nuclear weapons which it assumed at both the bilateral and the multilateral level. How is it possible to trust such an international partner?

The Government of the Russian Federation declares that the resolution of the Verkhovna Rada of Ukraine relating to the START-I Treaty is unacceptable, on the grounds that the reservations contained therein subvert the objectives of that Treaty. The reservations in question are incompatible, inter alia, with article 19 of the Vienna Convention on the Law of Treaties.

The resolution of the Verkhovna Rada of Ukraine dated 18 November 1993 creates a situation in which Russia is not in a position to service, as it has been doing hitherto, the strategic offensive arms situated in Ukrainian

territory. Such servicing in the present circumstances would constitute actions by the Russian Federation in violation of the Treaty on the Non-Proliferation of Nuclear Weapons.

The unilateral actions taken by Ukraine, which affect the interests of all States, may call for measures on the part of the international community, including action by the United Nations Security Council, to prevent any act that undermines the nuclear-disarmament process, strategic stability and the regime of non-proliferation of nuclear weapons.

Russia has been and remains faithful to the policy of nuclear disarmament and the non-proliferation of nuclear weapons, and strictly adheres to the principle of compliance by all countries with their international obligations. The world knows that the Government of the Russian Federation has striven to do all within its power, in response to the wishes of the Ukrainian side, to alleviate implementation by the latter of its international obligations. Russia, for its part, has resolved all issues connected with the receipt by Ukraine of its "peace dividend" from the elimination of all strategic nuclear weapons deployed in its territory. To that end, the relevant agreements have been drafted and signed, including at the level of the government leaders of the two countries. In addition, Russia has given Ukraine all the necessary guarantees of its security provided for by international law.

The Russian side is ready to pursue a constructive dialogue with the Ukrainian side with a view to resolving the whole range of problems concerning nuclear weapons. For that purpose there is a need on the part of Ukraine for an awareness of its responsibility vis-à-vis the international community, for the strict observance of the agreements to which it has appended its signature, and for the genuine, not fictitious, ratification of the START-I Treaty and the Lisbon Protocol.